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Class Counsel for Plaintiffs

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION**

IN RE COLLEGE ATHLETE NIL
LITIGATION

Case No. 4:20-cv-03919-CW

**PLAINTIFFS' NOTICE OF FILING OF
REVISED SETTLEMENT DOCUMENTS**

Hrg. Date: September 5, 2024
Time: 2:30 p.m.
Judge: Hon. Claudia Wilken
Courtroom: 2, 4th Floor

1 **NOTICE OF REVISED PROPOSED ORDER AND PROPOSED NOTICE DOCUMENTS**

2 **TO ALL PARTIES AND THEIR COUNSEL OF RECORD:**

3 PLEASE TAKE NOTICE that, upon further review and in response to certain objections,
 4 Plaintiffs identified potential minor revisions to the proposed notices and proposed order submitted
 5 with their preliminary approval filings. *See* Plaintiffs' Reply ISO Preliminary Approval of
 6 Settlement, at 21 n. 19-20, 24, *In re College Athlete NIL Litigation*, No. 4:20-cv-03919-CW (N.D.
 7 Cal., Aug. 16, 2024), ECF No. 494; Joint Declaration of Steve W. Berman and Jeffrey L. Kessler
 8 in Further Support of Plaintiffs' Reply ISO Motion for Preliminary Approval, at ¶¶ 17, 18, ECF
 9 No. 494-1. These revisions include additional language clarifying that objections may be filed
 10 electronically and additional language clarifying that the scope of the release does not extend to
 11 claims in the *Choh* or *Johnson* cases. In addition, Plaintiffs have been notified by Defendants that
 12 certain member schools require specific language by court order to trigger the Family Educational
 13 Rights and Privacy Act (FERPA) notification process prior to providing class member contact
 14 information to Plaintiffs for notice of the settlement. Plaintiffs have revised the Proposed Order to
 15 incorporate this language. To provide the Court with a full opportunity to review those changes
 16 prior to the Preliminary Approval Hearing on September 5, 2024, Plaintiffs submit these revised
 17 documents with substantive changes identified in redline, and minor edits/formatting changes
 18 adopted. Plaintiffs will also submit these revised documents in Word format for the Court.

19 Plaintiffs respectfully submit the following documents for the Court's review:

20 1. Revised Proposed Order Granting Plaintiffs' Motion for Preliminary Settlement
 21 Approval (Revised from ECF No. 451-2), attached hereto as Exhibit 1.

22 2. Revised Long Form Notice (Revised from Ex. 5 to Peak Decl., ECF No. 450-5),
 23 attached hereto as Exhibit 2.

24 3. Revised Email Notice (Revised from Ex. 1 to Peak Decl., ECF No. 450-5), attached
 25 hereto as Exhibit 3.

26 4. Revised Postcard Notice (Revised from Ex. 2 to Peak Decl., ECF No. 450-5), attached
 27 hereto as Exhibit 4.

5. Revised Claim Form (Revised from Ex. 6 to Peak Decl., ECF No. 450-5), attached hereto as Exhibit 5.

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1 DATED: August 28, 2024

2 By /s/ Steve W. Berman

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ATTESTATION PURSUANT TO CIVIL LOCAL RULE 5-1(i)(3)

Pursuant to Civil Local Rule 5-1(i)(3), the filer of this document attests that concurrence in the filing of this document has been obtained from the signatories above.

By: s/ Steve W. Berman
STEVE W. BERMAN